

08/29/2007 13:36 FAX 212 864 2805

UNITED LAWYERS SERVICE

08/28/2007 12:44 FAX

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AO 440 (Rev. 3/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

MARTINES FRUITS & VEGETABLES, INC.,
a California Corporation,
Plaintiff,

V.

AMERICAN PRESIDENT LINES, LTD., a Delaware
Corporation, ROBERT NAKO ENTERPRISES,
INC., a California Corporation, d/b/a
YAMKO TRUCK LINES AND DOES 1 through
DOES 25, inclusive,
Defendants.

SUMMONS IN A CIVIL ACTION

07 CIV 7082

JUDGE SCHEINDLIN

TO: (Name and address of Defendant)

AMERICAN PRESIDENT LINES, LTD.
1111 Broadway
Oakland, CA 94607

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

MANDELBAUM, SALSBERG,
GOLD, LAZARIS & DISCENZA, P.C.
155 Prospect Avenue
West Orange, NJ 07052
(973) 736-4600

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) DEPUTY CLERK

DATE

AUG 09 2007

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE 9/4/2007	
NAME OF SERVER (PRINT) Debbie Christie	TITLE Employee of Sacramento Attorneys' Service Inc.	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div><input checked="" type="checkbox"/> Other (specify): Served Prentice-Hall Corporation, registered agent for the defendant, received by Becky DeGeorge 2730 Gateway Oaks Drive., Suite 100, Sacramento, CA 95833</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES \$45.00	TOTAL \$45.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%;"> <p>Executed on <u>9/4/2007</u> Date</p> </div> <div style="width: 60%; text-align: center;"> <p><u>Debbie Christie</u> Signature of Server</p> <p><u>1005 12th Street, Suite F, Sacramento, CA 95814</u> Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.